

**AGENDA  
ZONING COMMITTEE  
OF THE SAINT PAUL PLANNING COMMISSION  
Thursday, February 28, 2013 3:30 P.M.  
City Council Chambers, Room #300  
Third Floor City Hall - Saint Paul, Minnesota**

**NOTE:** The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

**APPROVAL OF FEBRUARY 14, 2013, ZONING COMMITTEE MINUTES**

**SITE PLAN REVIEW** – List of current applications (Tom Beach, 651-266-9086)

**NEW BUSINESS**

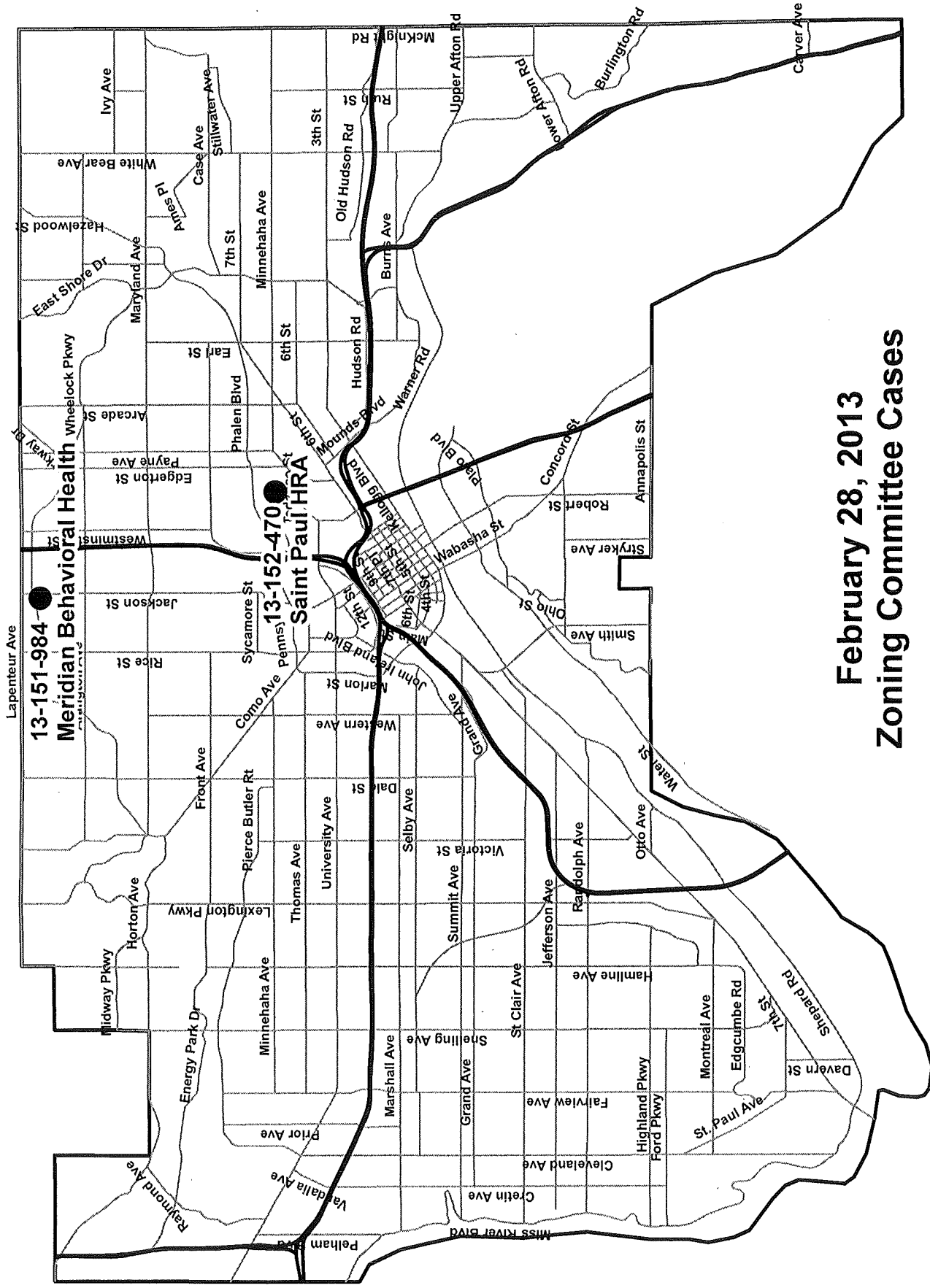
- 1      13-151-984   Meridian Behavioral Health**  
Conditional use permit for human service-licensed community residential facility for up to 20 residents  
1609 Jackson St, west side at Timberlake Road  
RM1  
Bill Dermody   651-266-6617
  
- 2      13-152-470   Saint Paul HRA**  
Rezoning from B1 Local Business to T1 Traditional Neighborhood and RT1 Two-Family Residential  
719 Burr St, SW corner of Minnehaha and Burr  
B1  
Kate Reilly      651-266-6618

**ADJOURNMENT**

Information on agenda items being considered by the Zoning Committee can be found online at [www.stpaul.gov/ped](http://www.stpaul.gov/ped), then Planning, then Zoning Committee.

**ZONING COMMITTEE MEMBERS:** Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

**APPLICANT:** You or your designated representative must attend this meeting to answer any questions that the committee may have.



**February 28, 2013**  
**Zoning Committee Cases**

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Meridian Behavioral Health **FILE #** 13-151-984
  2. **APPLICANT:** Meridian Behavioral Health **HEARING DATE:** February 28, 2013
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 1609 Jackson St, west side at Timberlake Road
  5. **PIN & LEGAL DESCRIPTION:** 192922210106, Gurney Highland Park 1 Thru 6 & 19 Thru Lot 24 Blk 9
  6. **PLANNING DISTRICT:** 6 **PRESENT ZONING:** RM1
  7. **ZONING CODE REFERENCE:** §65.153; §61.501
  8. **STAFF REPORT DATE:** February 21, 2013 **BY:** Bill Dermody
  9. **DATE RECEIVED:** February 7, 2013 **60-DAY DEADLINE FOR ACTION:** April 8, 2013
- 

- A. **PURPOSE:** Conditional use permit for human service-licensed community residential facility for up to 20 residents
- B. **PARCEL SIZE:** 295 ft. x 150 ft., totaling 43,059 sq. ft.
- C. **EXISTING LAND USE:** S-Community Residential Facility
- D. **SURROUNDING LAND USE:**
  - North: Single-family residences (R2), including one immediately north that contains a social services organization
  - East: Townhomes (RM1)
  - South: Vacant/wooded (RM1) with a single-family residence farther south (RM1)
  - West: Single-family residences (R2)
- E. **ZONING CODE CITATION:** §65.153 lists conditions that must be met by human service-licensed community residential facilities; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** The multi-family building has existed on the site since 1960. It has reportedly been used as a residential facility since 1972. In 1994, it received a conditional use permit to operate a human service-licensed community residential facility for 20 residents. In 2008, the property received a conditional use permit to change the use to transitional housing (ZF #08-177-989).
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 6 Council has not provided input regarding the application.
- H. **FINDINGS:**
  1. The application proposes to use a one-story concrete block structure built in 1960 as a human service-licensed community residential facility for 20 residents. The building has 10 double-occupancy bedrooms, a lounge, a kitchen, a dining room, restroom facilities, and four office/group rooms.
  2. The zoning code defines "Community residential facility, licensed human service" as: "One main building, or portion thereof, on one zoning lot where one or more children or persons with mental retardation or related conditions, mental illness, chemical dependency or physical handicaps reside on a 24-hour-per-day basis under the auspices of a program licensed by the state department of human services to provide lodging in conjunction with monitoring, supervision, treatment, rehabilitation, habilitation, education or training of the residents of the facility."
  3. The primary functional difference between the existing transitional housing and the proposed human service-licensed community residential facility is that residential treatment services (e.g. chemical dependency and mental health services) will be provided at the facility. The makeup of the residents is not anticipated to change. The applicant plans to make numerous improvements to the building's interior and exterior, including adding a gazebo and landscaping.

4. §61.501 lists five standards that all conditional uses must satisfy:

- a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The Comprehensive Plan's Housing Chapter, Goal 3.4 calls for the city to assist in the preservation and production of supportive housing, such as proposed by this application.
- b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. A driveway is provided from the 18-space parking lot to the street. Public transit is provided on Jackson Street.
- c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The proposed use existed previously on this site from 1994 to 2008 and a similar use existed from 2008 to the present, both without reported or apparent negative effects on the neighborhood. The site's history since 1994 indicates that this type of use can operate at this location without detriment to the neighborhood.
- d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is similar to current and past uses and will not impede the normal and orderly development and improvement of the surrounding property.
- e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use conforms to the RM1 zoning district and meets all of the standards and conditions of the conditional use, as specified in §65.153 and discussed below.

5. §65.153 lists the standards and conditions for a human service-licensed community residential facility:

- a) *The facility shall be a minimum distance of 1,320 feet from any other licensed community residential facility, emergency housing facility, shelter for battered persons with more than four (4) adult facility residents, overnight shelter, or transitional housing facility with more than four (4) adult facility residents, except in B4-B5 business districts where it shall be at least 600 feet from any other such facility.* This condition is met. The facility is at least 1,320 feet from any such facilities located within the borders of Saint Paul. The Maplewood border is located less than 700 feet north of the facility. Though Saint Paul staff do not track such facilities beyond the city borders, the applicant reports that no such facilities are located within 1,320 feet of the subject site in either jurisdiction.
- b) *In RL-RT1 residential districts, the facility shall serve six (6) or fewer facility residents. In RT2 residential, traditional neighborhood, OS-B3 business and IR-I2 industrial districts, the facility shall serve 16 or fewer facility residents.* This condition does not apply. The facility is located in an RM1 district.
- c) *In residential districts, a conditional use permit is required for facilities serving seven (7) or more facility residents.* This condition is met if the subject application is approved.
- d) *In B4-B5 business districts, the facility shall be located in a multiple-family structure.* This condition does not apply. The facility is in an RM1 district.
- e) *Except in B4-B5 business districts, facilities serving 17 or more facility residents shall have a minimum lot area of 5,000 square feet plus 1,000 square feet for each guest room in excess of two (2) guest rooms.* This condition is met. The 10-bedroom facility requires a 13,000 square foot lot according to this regulation; the subject lot is 43,059 square feet.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for human service-licensed community residential facility for up to 20 residents, subject to the additional condition that final plans approved by City staff for this use shall be in substantial compliance with the plan submitted and representations made as part of this application.



# CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning office use only  
File # 13-151984  
Fee: \_\_\_\_\_  
Tentative Hearing Date: 2-28-13

PD=6

# 192922210106

## APPLICANT

Name Meridian Behavioral Health  
Address 550 Main St., Suite 230  
City New Brighton St. MN Zip 55112 Daytime Phone \_\_\_\_\_  
Name of Owner (if different) \_\_\_\_\_  
Contact Person (if different) John Seymour Phone 612-916-0552

## PROPERTY LOCATION

Address / Location 1609 Jackson St., St. Paul, MN  
Legal Description PIN 192922210106 Gurney Highland Park  
1 Thru 6 & 19 thru lot 24 Bk 9 Current Zoning RM 1  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of  
Chapter 65, Section 153, Paragraph \_\_\_\_\_ of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

Please see attached documentation

RECEIVED

FEB 07 2013

Per \_\_\_\_\_

CK 22776  
SOW<sup>OC</sup>

☒ Required site plan is attached

Applicant's Signature John Seymour Date 2/7/13 City Agent pdh

2-7-13

***Building background/history***

The one-story block structure at 1609 Jackson was built in 1960, and has been used as a residential facility since 1972. From 1994 thru 2008, the building housed Meridian Behavioral Health's Tapestry program which operated a 20-resident chemical dependency treatment facility for adults. In 1994, the Saint Paul Planning Commission approved a special Conditional Use Permit to allow 20 residents into Meridian's adult chemical dependency treatment program. Since 2008, the building has been used by Transition Homes for transitional housing for 20 residents. The Transition Homes residents consist of adults with co-occurring chemical dependency and mental health illness.

The building has 10 double occupancy bedrooms, a lounge, kitchen, dining room and restroom facilities. It also has four rooms for staff offices and group rooms.

***Proposed use***

The proposed use for the building is to operate as a 20-resident chemical dependency treatment facility, thus a return to its previous use as a residential supervised living facility as was the Tapestry program during 1994 to 2008. Residents will consist of adults with chemical dependency and mental illness and be part of a highly structured program.

There is a strong need to provide residential treatment services for adults with co-occurring chemical dependency and mental health illness. Currently, Meridian Behavioral Health operates 5 residential programs with a total waitlist of 47 prospective clients seeking our services. This facility – and associated program – would allow us to serve an unmet, and growing need in the community.

We will make significant improvements to the building that will increase the value and appearance for this site and surrounding area. We will make investments to both the interior and exterior of the building, and property that surrounds the building (landscaping) – please see site plans for more detail (Phase I – III). The initial improvements are represented in Phase I; over time, we intend to make improvements represented in Phase II and III. Included will be motion/safety lights on the outside of the building. These improvements will enhance the existing character and safety of the building and neighborhood.

As such, we are applying for a Conditional Use Permit that meets the relevant conditions of Section 61.501 (Conditional use permit, general standards) and Section 65.153 (Community residential facility, licensed human service", as follows:

**Sec. 61.501. - Conditional use permit, general standards.**

Below lists the five standards that all conditional uses must satisfy:

- (a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.

***This condition is met. The property is appropriately zoned for the proposed use (RM1) and the use is permitted with a conditional use permit.***

- (b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.

***This condition is met. The property will use the existing 18-space parking to the rear of the building, which has an access drive that connects to it from Jackson Street. In addition, two bus routes travel along Jackson Street in front of the property, and there is a sidewalk from Jackson Street to the front entrance of the property. Therefore, there is adequate vehicular and pedestrian access to and from the site.***

- (c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.

***This condition is met. The proposed facility is a residential use that will not be detrimental to the existing character of the development of the neighborhood or endanger the public health, safety and general welfare. The proposed use is similar to the existing use -- and identical to previous use -- of the structure as a Community Residential Facility (CRF) licensed by the Department of Human Services for adults with chemical dependency and mental illness. Further, we will be making improvements to the building that would increase the value and appearance for this site and surrounding area.***

- (d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

***This condition is met. The use will not impede the normal orderly development and improvement of the surrounding property for uses in the district, particularly in light of the proposed property and site improvements.***

- (e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

***This condition is met, as the use conforms to the RM1 zoning district and meets all of the standards and conditions of the conditional use, as specified in Sec. 65.153 as discussed below.***

**Sec. 65.153. - Community residential facility, licensed human service.**

Below lists the standards and conditions that a licensed human service community residential facility must satisfy:

- (a) The facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from any other licensed community residential facility, emergency housing facility, shelter for battered persons with more than four (4) adult facility residents, overnight shelter, or transitional housing facility with more than four (4) adult facility residents, except in B4—B5 business districts where it shall be at least six hundred (600) feet from any other such facility.

***This condition is met. There are no such facilities within 1,320 feet of the building.***

- (b) In RL—RT1 residential districts, the facility shall serve six (6) or fewer facility residents. In RT2 residential, traditional neighborhood, OS—B3 business and IR—I2 industrial districts, the facility shall serve sixteen (16) or fewer facility residents.

***This condition is not applicable—the building is in a RM1 district.***



- (c) In residential districts, a conditional use permit is required for facilities serving seven (7) or more facility residents.

***We are applying for the requisite conditional use permit to operate a "Community residential facility, licensed human service". Once this CUP is approved, this condition will be met.***

- (d) In B4—B5 business districts, the facility shall be located in a multiple-family structure.

***This condition is not applicable—the building is in a RM1 district.***

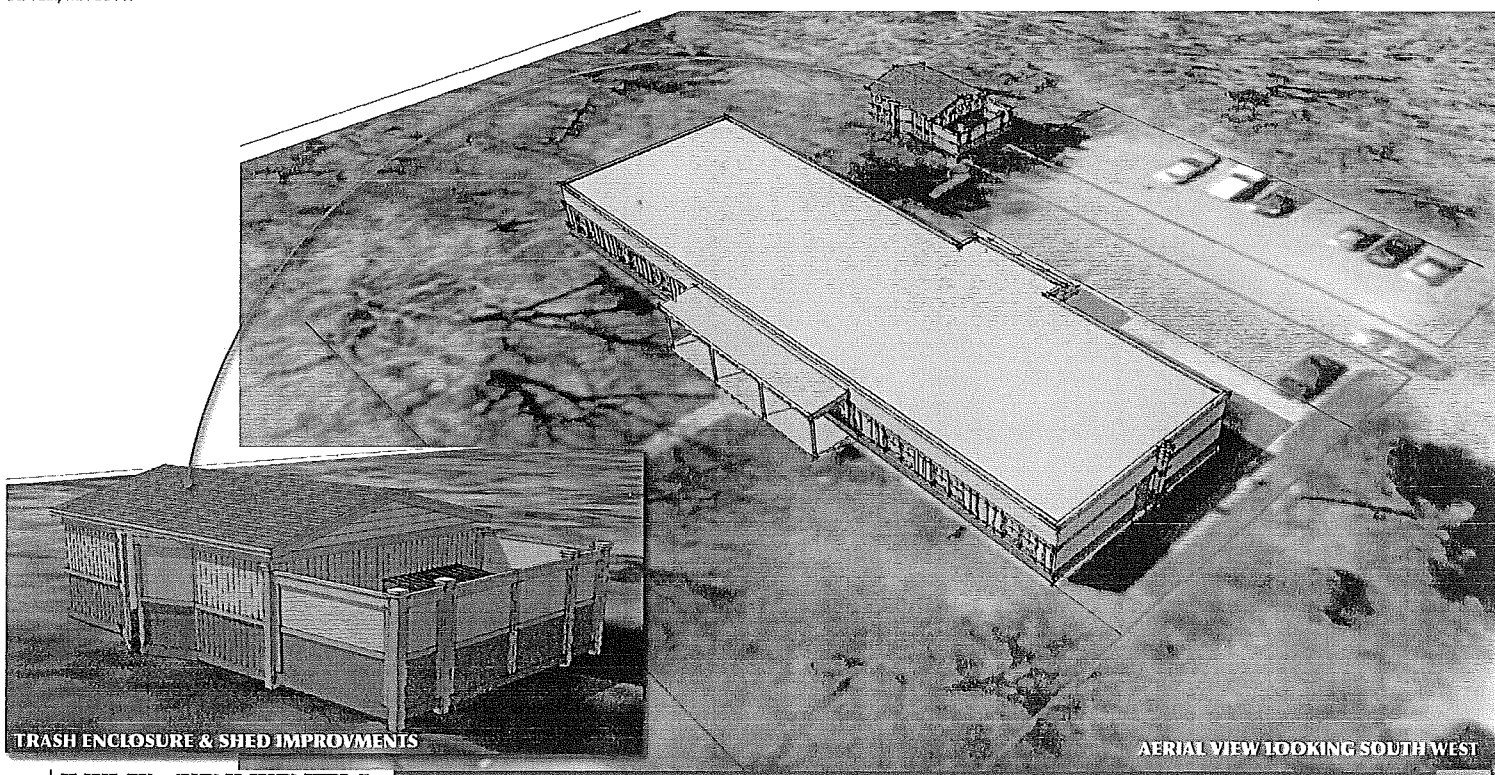
- (e) Except in B4—B5 business districts, facilities serving seventeen (17) or more facility residents shall have a minimum lot area of five thousand (5,000) square feet plus one thousand (1,000) square feet for each guest room in excess of two (2) guest rooms.

***This condition is met. The 10 bedroom facility requires a lot size of 13,000 square feet (5,000 + 8,000). The lot size is 43,059 square feet.***

## MERIDIAN PROGRAMS

1609 Jackson St. N  
St. Paul, MN 55117

## PHASE I - BUILDING IMPROVEMENTS & TRASH ENCLOSURE



TRASH ENCLOSURE & SHED IMPROVEMENTS

AERIAL VIEW LOOKING SOUTH WEST



P.O. BOX 36 • Woodville, WI 54028 • ph.715.781.5162  
roger@engadvantage.com • www.humphreyengineering.com

Putman Planning & Design  
724 Riverside Dr. N. • Hudson, WI 54016 • ph.715.381.8291  
marc@putmanplanninganddesign.com  
www.putmanplanninganddesign.com

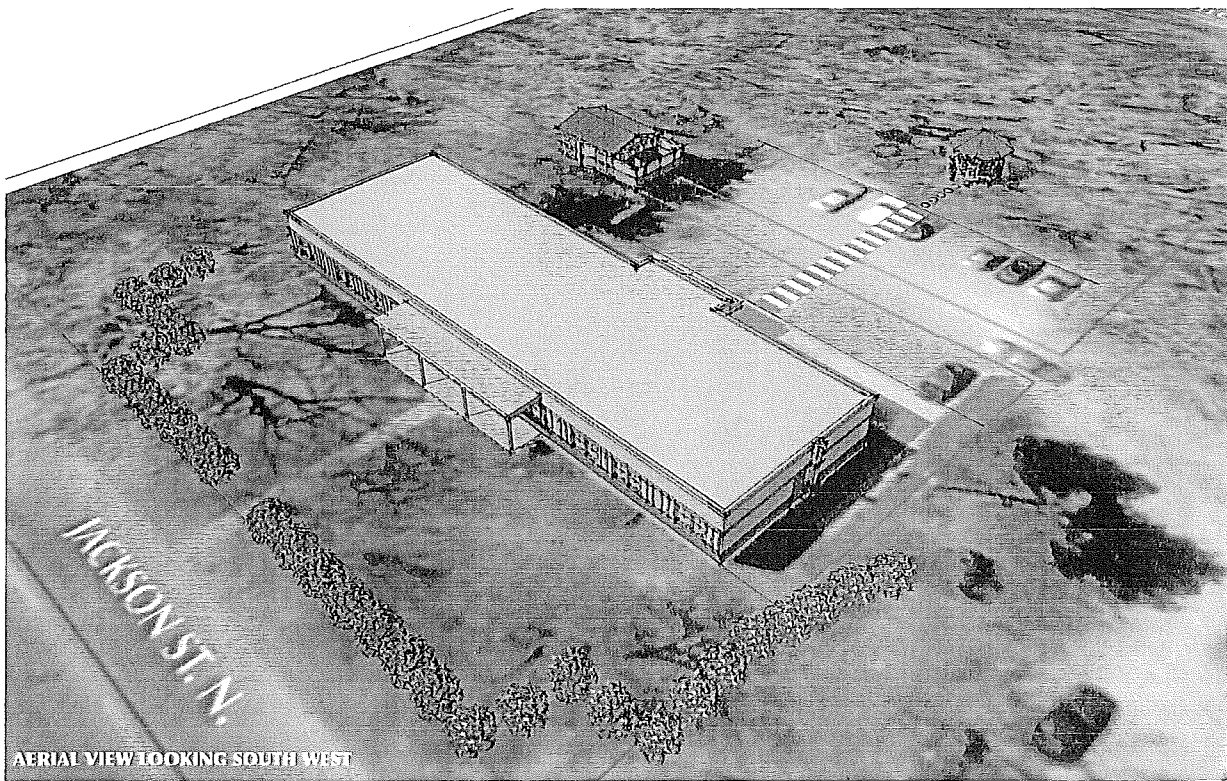
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## MERIDIAN PROGRAMS

1609 Jackson St. N  
St. Paul, MN 55117

## PHASE II - LILAC HEDGES, GAZEBO, & WALKWAY TO GAZEBO



AERIAL VIEW LOOKING SOUTH WEST



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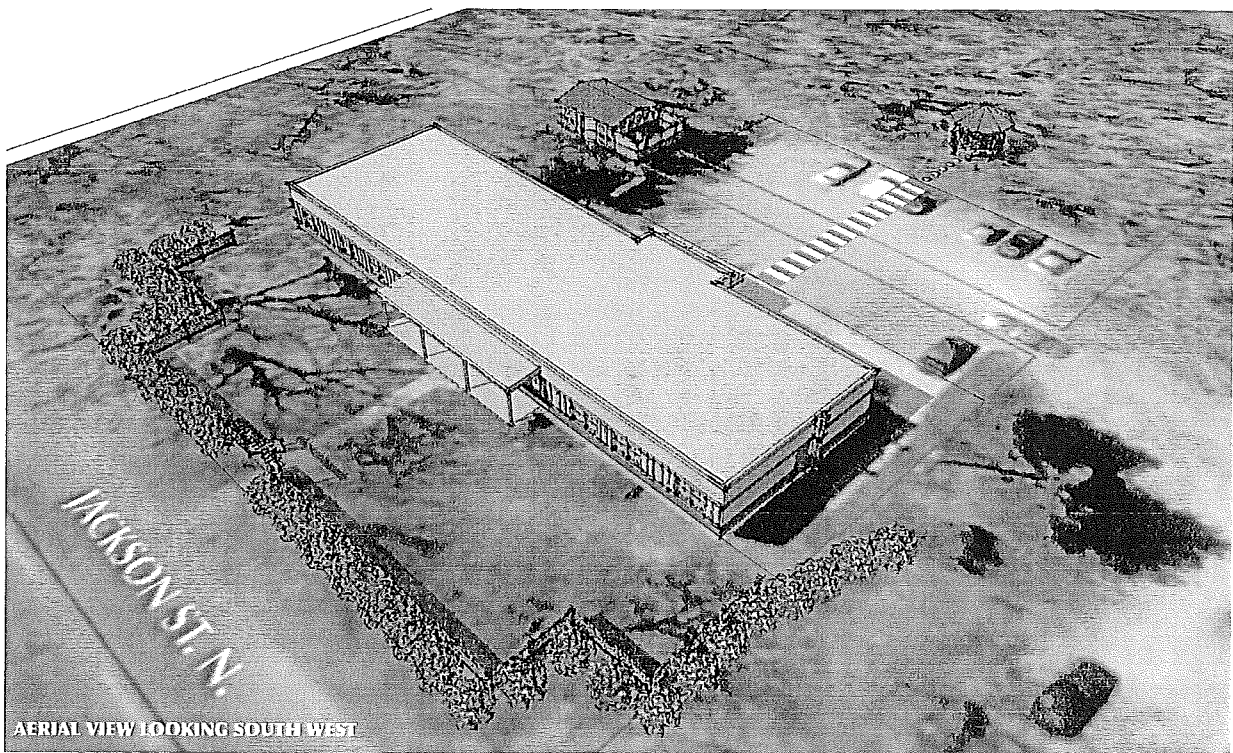


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## MERIDIAN PROGRAMS

1609 Jackson St. N  
St. Paul, MN 55117

## PHASE III - FRONT FENCE & GATEWAY BEHIND LILAC BUSHES



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roger@emgadventure.com • www.humphreyengineering.com

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## GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

☒ Show Dashboard ☐ Show Reference Map



LARPENTEUR

WANDA

R2

WHEELLOCK

TIMBERLAKE

JACKSON

RM1

BIGLOW

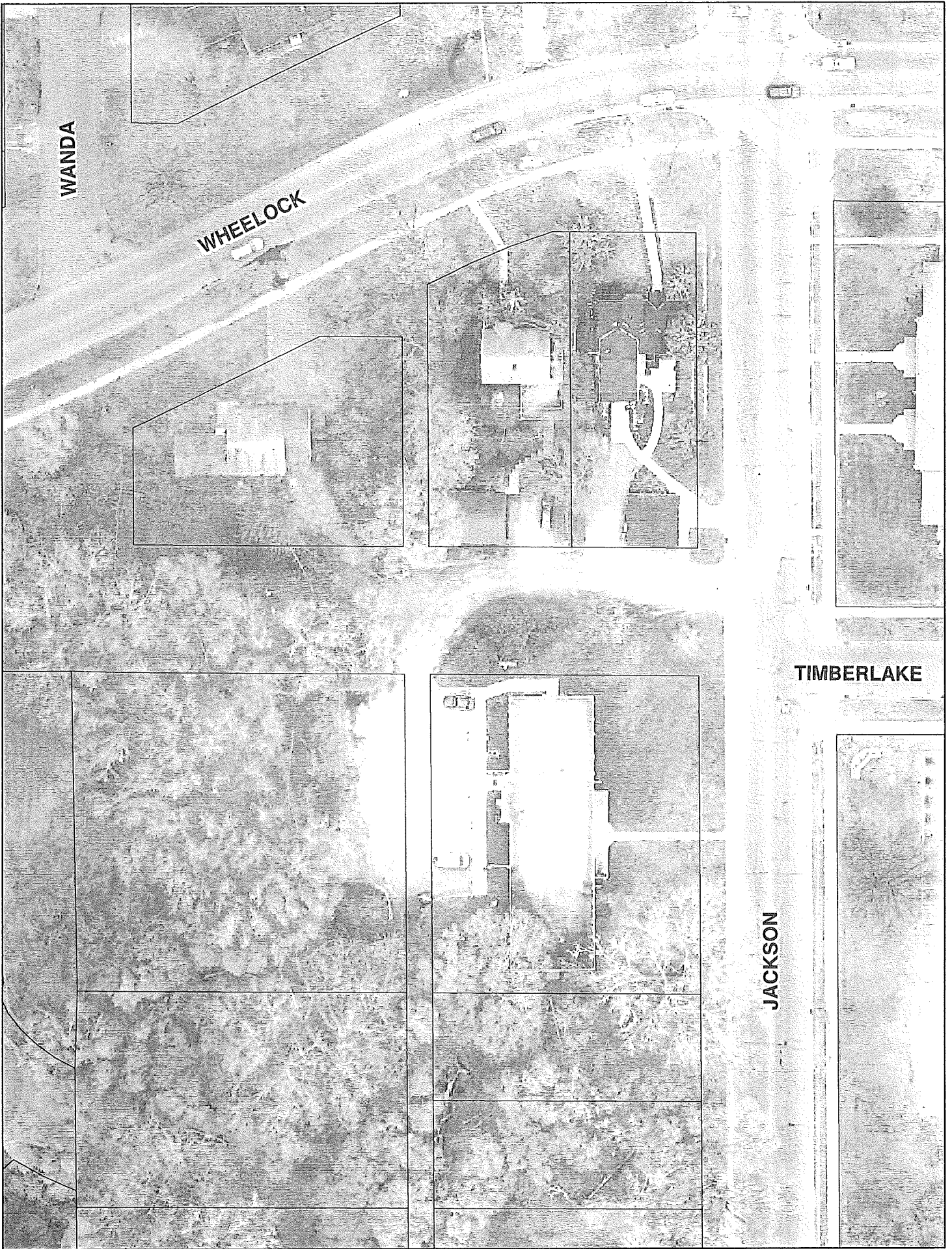


WANDA

WHEELLOCK

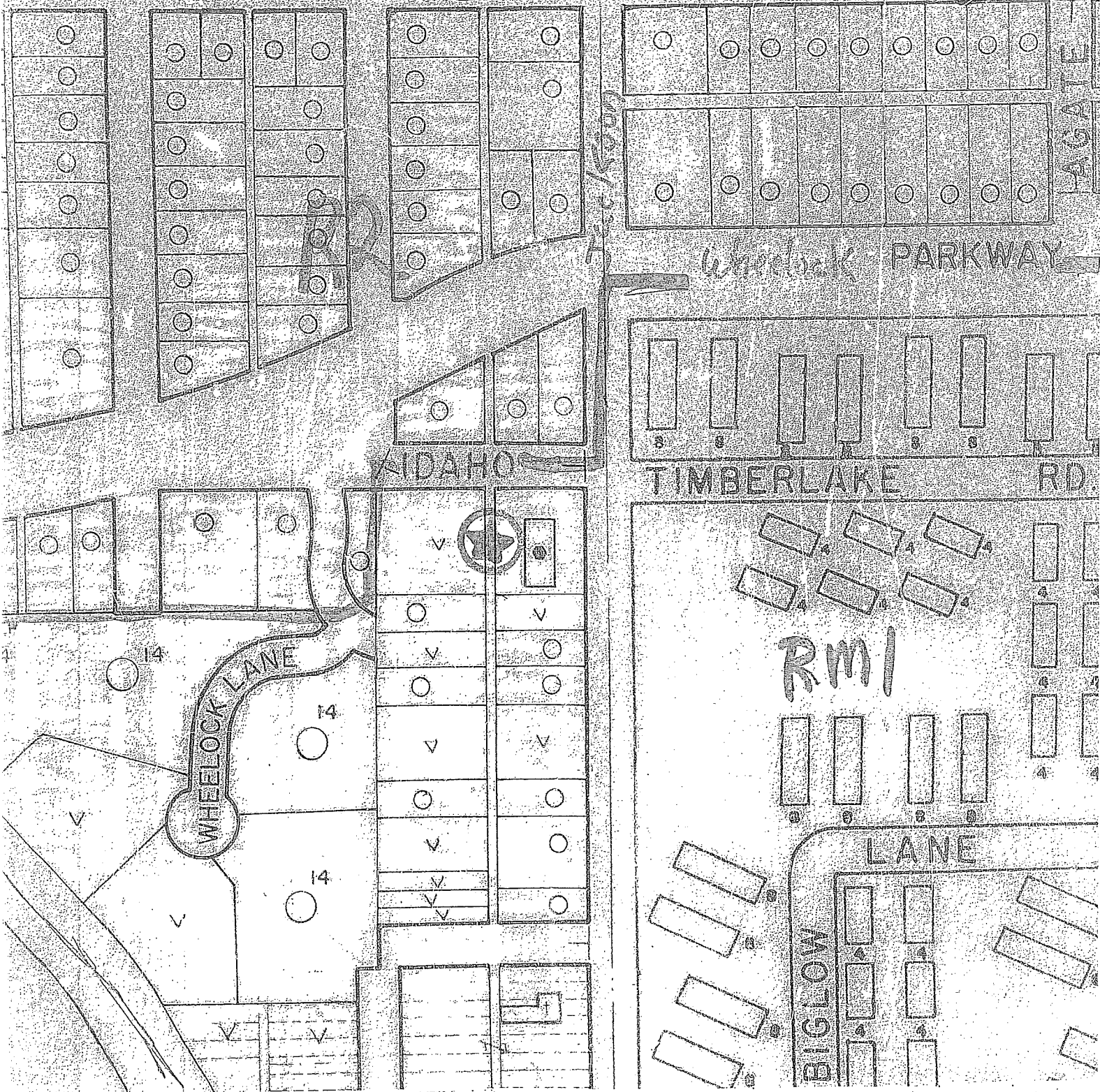
TIMBERLAKE

JACKSON









APPLICANT Meridian Behavioral  
 PURPOSE Conditional Use  
 FILE # 13-151984 DATE \_\_\_\_\_  
 PLNG. DIST. 6 Land Use Map # 5  
 SCALE 1" = 400' Zoning Map # 4

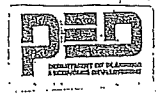
LEGEND

zoning district boundary

subject property

one family  
 two family  
 multiple family

commercial  
 industrial  
 vacant



## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Saint Paul HRA **FILE #:** 13-152-470
  2. **APPLICANT:** Housing And Redev Auth Of The City Of St Paul **HEARING DATE:** February 28, 2013
  3. **TYPE OF APPLICATION:** Rezoning
  4. **LOCATION:** 719 Burr St, SW corner of Minnehaha and Burr
  5. **PIN & LEGAL DESCRIPTION:** 322922210062; Sub Of And Add To Irvines Add Ex W 48 Ft Lot 1 Blk 1
  6. **PLANNING DISTRICT:** 5 **EXISTING ZONING:** B1
  7. **ZONING CODE REFERENCE:** §61.801(b)
  8. **STAFF REPORT DATE:** February 19, 2013 **BY:** Kate Reilly
  9. **DATE RECEIVED:** February 7, 2013 **60-DAY DEADLINE FOR ACTION:** April 8, 2013
- 

- A. **PURPOSE:** Rezoning from B1 Local Business to T1 Traditional Neighborhood and RT1 Two-Family Residential.
- B. **PARCEL SIZE:** 80 ft (Minnehaha) x 55 ft (Burr) totaling 4,400 square feet
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:** The property is surrounded on all sides by residential uses zoned RT1.
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** This property was purchased by the Saint Paul Housing and Redevelopment Authority in 2005. The building was demolished in 2010. The Housing and Redevelopment Authority has petitioned the City Council for an adjustment of common boundary in order to make the property to the west more saleable, while still maintaining a buildable lot at 719 Burr.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 5 had not commented at the time this staff report was prepared.
- H. **FINDINGS:**
  1. The Housing and Redevelopment Authority of the City of Saint Paul is requesting that 719 Burr Street be rezoned from B1 Local Business to T1 Traditional Neighborhood and RT1 Two-Family Residential in order to accommodate the potential construction of a single- or two-family home on the property.
  2. The proposed zoning is consistent with the way this area has developed. The area has developed as a mix of single- and two-family homes, with some institutional uses throughout. According to Sec. 66.213 Intent, RT1 two-family residential district, "The RT1 two-family residential district provides for an environment of predominantly low density one- and two-family dwellings along with civic and institutional uses and public services and utilities that serve the residents in the district." According to Sec. 66.311 and 66.312 the intent of T districts generally and T1 districts specifically is to encourage a compatible mix of commercial and residential uses within buildings, sites and blocks and to provide a transitional use of land along major thoroughfares, between commercial or industrial districts and residential districts or other less intensive land uses.
  3. The proposed zoning is consistent with the Comprehensive Plan. The proposed zoning is consistent with Comprehensive Plan (2010) Land Use Policy 1.1 *Guide the development of housing in Established neighborhoods, commercial areas within Established Neighborhoods, and in Residential Corridors*. This area is a residential corridor within an established neighborhood and the rezoning will allow for additional

housing units to be created. The Railroad Island Updated Area Plan Summary (2007) seeks to encourage new housing in the community and encourage new single-family housing to be built.

4. The proposed zoning is compatible with the surrounding uses. T1 and RT1 both accommodate one- and two-family homes. The subject properties are surrounded by residential and institutional uses.
  5. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term *"applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property."* This is not an occurrence of spot zoning as the T1 district provides a transitional use of land along a major thoroughfare (Minnehaha) to the residential neighborhood and the portion being rezoned to RT1 extends the current RT1 district.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Rezoning from B1 Local Business to T1 Traditional Neighborhood and RT1 Two-Family Residential.



**PETITION TO AMEND THE ZONING CODE**  
Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning Office Use Only

File #: 13-152032

Fee: 1200

Tentative Hearing Date:

2-28-13

PD=5

#

**APPLICANT**

Property Owner HRA - St. Paul

322922210062  
322922210063

Address 25 West Fourth Street, Suite 1100

City St. Paul St. MN Zip 55102 Daytime Phone 651-266-6561

Name of Owner (if different) \_\_\_\_\_

Contact Person (if different) \_\_\_\_\_

Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address/Location 476 Hennepin Avenue E / 719 Burr Street

Legal Description Sub of And Add to Irvin's Add W 48 Ft. of Lot 1 Blk 1

Sub of and Add to Irvin's Add Ex W 48 Ft Lot 1 Blk 1

Current Zoning \_\_\_\_\_

(attach additional sheet if necessary)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes,

St. Paul HRA, owner of land proposed for rezoning, hereby petitions you to

rezone the above described property from a \_\_\_\_\_ zoning district to a zoning

district, for the purpose of:

• The portion of 719 Burr Street property added to 476 Hennepin Ave. E.  
is changing from B1 to RT-1

• 719 Burr Street is changing from B1 to T1

(attach additional sheets if necessary)

Subscribed and  
sworn to before  
me on 13 days of  
Feb. 2013.

By: [Signature]  
Cecile Bedon,  
Executive Director  
of the Housing & Redevelopment  
Authority

Attachments as required: ☒ Site Plan ☐ Consent Petition ☐ Affidavit

Subscribed and sworn to before me

this Thursday day

of Feb 7, 2012.

Samantha Langer

Notary Public

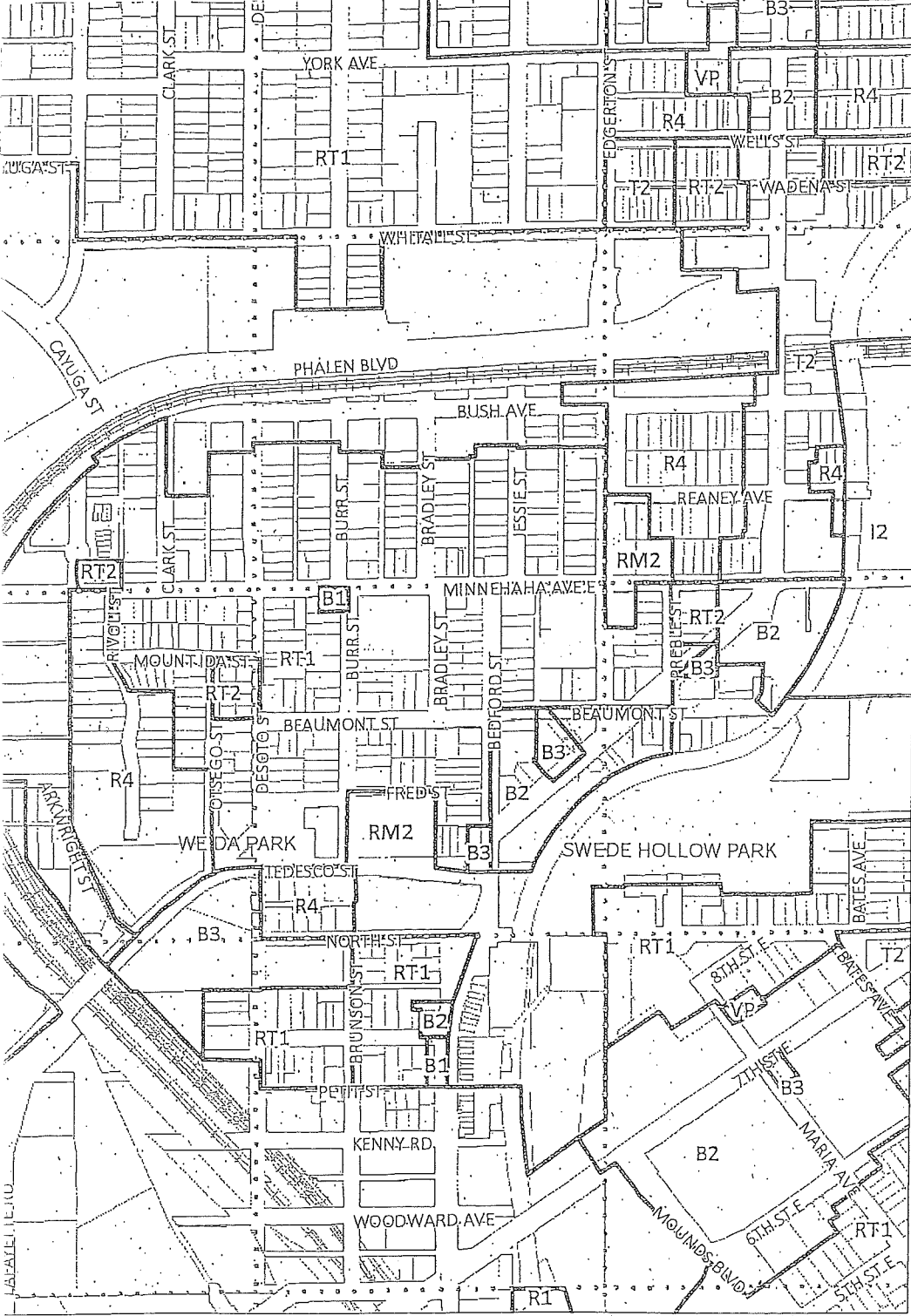
[Signature]  
SAMANTHA A. LANGER  
NOTARY PUBLIC - MINNESOTA  
MY COMMISSION  
EXPIRES JAN. 31, 2014

By: [Signature]  
Fee owner of property

Title: Senior Project Manager

[Signature]  
LAURA L. ECKERT  
NOTARY PUBLIC - MINNESOTA  
MY COMMISSION  
EXPIRES JAN. 31, 2015





- T2 Traditional Neighborhood
- T3 Traditional Neighborhood
- T3M T3 with Master Plan
- T4 Traditional Neighborhood
- OS Office-Service
- B1 Local Business
- BC Community Business (converted)
- B2 Community Business
- B3 General Business
- B4 Central Business
- B5 Central Business Service
- IR Light Industrial Restricted
- I1 Light Industrial
- I2 General Industrial
- I3 Restricted Industrial
- VP Vehicular Parking
- PD Planned Development
- CA Capitol Area Jurisdiction

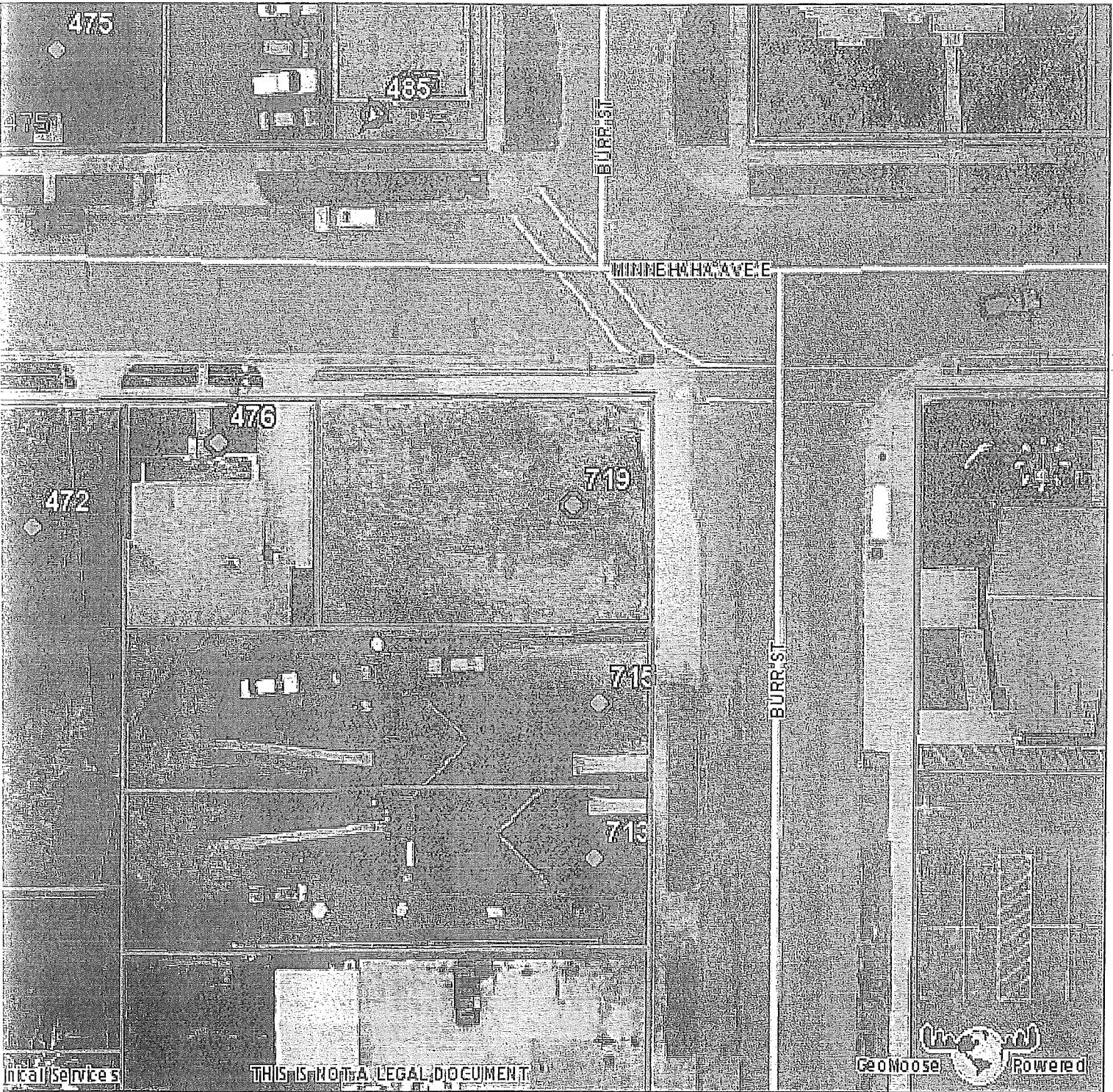
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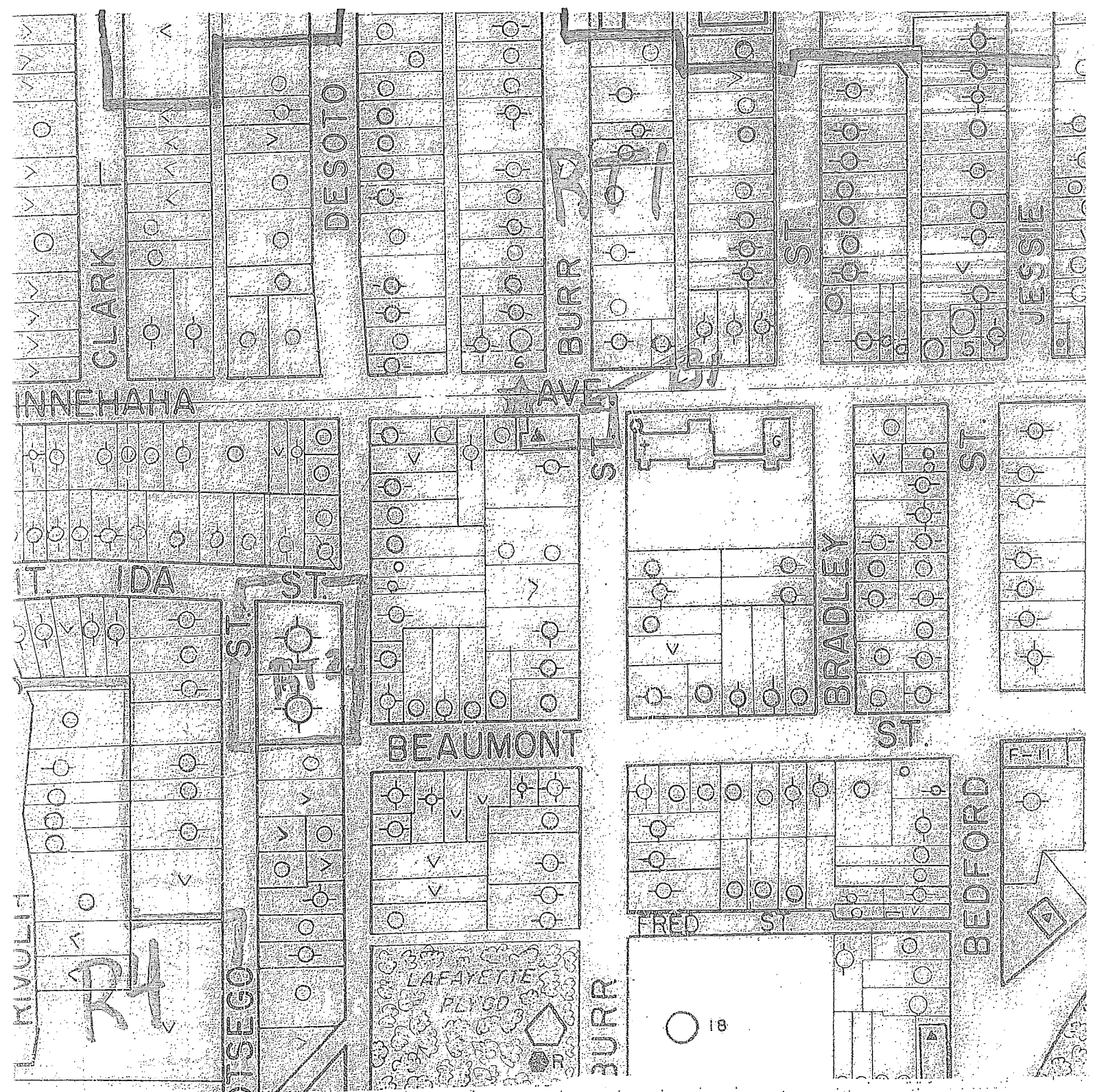
0 165 330 660  
 Feet  
 1" = 1/8 mile (660 feet)

# PANEL 10

ZONING LAST UPDATED NOVEMBER 16, 2011







APPLICANT St. Paul HRA

PURPOSE Rez

FILE # 13-152032 DATE \_\_\_\_\_

PLNG. DIST 5 Land Use Map # 13

SCALE 1" = 400' Zoning Map # 10

# LEGEND

zoning district boundary

subject property

one family

two family

multiple family

commercial

industrial

vacant

